IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT, TENNESSEE AT GREENVILLE

LANCE AND CHRISTIANA TORBETT	
As biological parents and next friends of)
minor Plaintiff L.T.,)
)
Plaintiffs,)
) Case No.: 2:25-cv-00033
v.)
) JURY DEMANDED
PROVIDENCE ACADEMY,)
)
Defendant.	·)

DEFENDANT PROVIDENCE ACADEMY'S MOTION TO DISMISS

Defendant Providence Academy ("Defendant"), pursuant to Tennessee Rule of Civil Procedure 12(b)(6), moves this Court to enter an order dismissing all claims by Plaintiffs Lance and Christiana Torbett as biological parents and next friends of minor Plaintiff L.T. (collectively "Plaintiffs").

Plaintiff filed this suit asserting claims under Title IX of the Educational Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), as well as various Tennessee state law claims, including "negligence, breach of contract, malicious prosecution, and [sic] false imprisonment and outrageous conduct." Complaint ¶ 8. As argued more fully in the Memorandum of Law filed contemporaneously herewith, each of Plaintiffs' claims consist of mere conclusory allegations without facts to support them, or the claims are refuted by the factual allegations contained in the Complaint. Accordingly, Defendant respectfully requests that the Court enter an order dismissing all of Plaintiffs claims with prejudice. A certification of the Defendant's compliance with the Order Governing Motions to Dismiss (Docket Entry No. 5) is included herewith.

Respectfully submitted: LEWIS THOMASON, P.C.

/s/ Peter Robison

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Counsel for Defendant Providence Academy

CERTIFICATION OF COMPLIANCE WITH ORDER GOVERNING MOTIONS TO DISMISS

The undersigned counsel hereby certifies that Defendant has confered with counsel for Plaintiffs verbally and in writing to determine whether the motion to dismiss can be avoided, and that the parties have been unable to reach an agreement.

> Peter C. Robison Peter C. Robison

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of April, 2025, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

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/s/ Peter Robison
Peter C. Robison

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